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Deliver to: Courtney D. Fields, USPTO Art Group: 2137  
Facsimile No.: 703-872-9306 Date: May 19, 2005  
From: William W. Schaal, Reg. No. 39,018  
Our Docket No.: 80398P215 Number of pages 6 including this sheet.  
Application No.: 09/437,345 Filing Date: 11/9/1999  
Docket Due Date(s): 5/19/2005

**Enclosed are the following documents:**

<input checked="" type="checkbox"/> Amendment: <u>Rest. Req.</u> ( <u>2</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: _____ ( <u>    </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: _____
<input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> _____	<input type="checkbox"/> Reply Brief ( <u>    </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: _____	<input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Transmittal Letter

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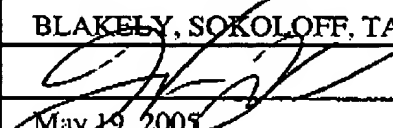
Tu T. Nguyen  5/19/2005  
Date

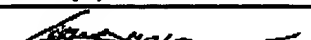
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/437,345
		Filing Date	November 9, 1999
		First Named Inventor	Brant L. Candelore
		Art Unit	2137
		Examiner Name	Courtney D. Fields
Total Number of Pages in This Submission	5	Attorney Docket Number	80398P215

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	May 19, 2005

CERTIFICATE OF MAILING/TRANSMISSION			
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Typed or printed name	Tu T. Nguyen		
Signature		Date	May 19, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 06/04/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**FEE TRANSMITTAL  
for FY 2005***Patent fees are subject to annual revision.*☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)**Complete if Known**

Application Number	09/437,345
Filing Date	November 9, 1999
First Named Inventor	Brant L. Candlore.
Examiner Name	Courtney D. Fields
Art Unit	2137
Attorney Docket No.	80398P215

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

**FEE CALCULATION**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051		2051		Surcharge - late filing fee or oath	
1052		2052		Surcharge - late provisional filing fee or cover sheet.	
2053		2053		Non-English specification	
1251		2251		Extension for reply within first month	
1252		2252		Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807		1807		Processing fee under 37 CFR 1.17(q)	
1806		1806		Submission of Information Disclosure Stmt	
1809		1809		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810		2810		For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
<b>SUBTOTAL (2)</b>					<b>(\$)</b>

**SUBMITTED BY****Complete (if applicable)**

Name (Printtype)	William W. Schaal	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature		Date	05/19/05		

Based on FTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 12/16/2004  
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**FEE TRANSMITTAL  
for FY 2005***Patent fees are subject to annual revision.***Complete if Known**

Application Number	09/437,345
Filing Date	November 9, 1999
First Named Inventor	Brant L. Candalore
Examiner Name	Courtney D. Fields
Art Unit	2137
Attorney Docket No.	80398P215

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$)**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

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1808		1808		Submission of Information Disclosure Stmt	
1809		1809		Filing a submission after final rejection (37 CFR § 1.129(a))	
1810		2810		For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
SUBTOTAL (2)					(\$)

**SUBMITTED BY**Name (Print/Type) William W. SchaalRegistration No.  
(Attorney/Agent)39,018**Complete (if applicable)**

Telephone

(714) 557-3800

Signature

Date

05/19/05

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/12/15/2004).

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Appl. No. 09/437,345  
Amdt. Dated May 19, 2005  
Reply to Office action of April 19, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application. No. : 09/437,345 Confirmation No. 7843  
Applicant : Brant L. Candelore  
Filed : November 9, 1999  
TC/A.U. : 2137  
Examiner : Courtney D. Fields

Docket No. : 080398.P215  
Customer No. : 8791

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In the Office Action mailed April 19, 2005, the Examiner contends that Applicant claims two distinct inventions; namely, Group I (claims 1-5, 23-24, 26-27, 45-51, and 54) drawn to a method for preventing access to a scrambled digital program, classified in class 713, subclass 193, and Group II (claims 6-15, 28-33, and 36-37) drawn to a method for controlling the recording and reproduction of digital content, classified in class 713, subclass 200. Thus, pursuant to 35 U.S.C. 121, the Examiner requires Applicant to restrict the application to one of the alleged two inventions.

In compliance with 35 U.S.C. §121, Applicant elects Group II (claims 6-15, 28-33, and 36-37).